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Attorneys for Plaintiffs
ASA Farms, Inc. and Braga Ranch

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

ASA FARMS, INC., a California corporation and
BRAGA RANCH,

Plaintiffs,

v.

FRESH 'N HEALTHY, INC., a Delaware
corporation, MARK WILLIAMS, an individual;
JACK PARSON, an individual; STEVEN
CINELLI, an individual; CHAD HAGEN, an
individual, SANTOS MARTINEZ, an individual;
DON BEAM, an individual; DARRYL
NICHOLSON, an individual; RICHARD MAY,
an individual; THOMAS COLOGNA, an
individual; PRESTWICK PARTNERS, LLC, a
California limited liability company; SOLSTICE
VENTURE PARTNERS, LLC, a business entity
form unknown; VFINANCE INVESTMENTS, a
business entity form unknown; FMP
VINEYARD, LLC, a New Mexico limited
liability company; BUTTONWOOD OPTION,
LLC, a business entity form unknown; DW, LLC,
a business entity form unknown; M SOLAZZO
TRUST 2002; P. SOLAZZO 1998; GIBBONS
FAMILY TRUST; BIXLER TRUST;
STEIGERWALD TRUST and CARTER TRUST,
and DOES 1 through 50, inclusive,

Defendants.

Case No. C 08-00122PVT


**DECLINATION TO PROCEED
BEFORE A MAGISTRATE JUDGE
AND REQUEST FOR
REASSIGNMENT TO A
UNITED STATES DISTRICT
JUDGE**

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

1 The undersigned party hereby declines to consent to the assignment of this case to a
2 United States Magistrate Judge for trial and disposition and hereby requests the reassignment of
3 this case to a United States District Judge.

4 Dated: January 8, 2008

LOMBARDO & GILLES, LLP

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6 By: 
7 Kelly McCarthy Sutherland
8 Attorneys for Plaintiffs
9 ASA Farms, Inc., and Braga Ranch
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